

WRITTEN REPORT OF THE INTERNATIONAL SEARCH OFFICE

(SUPPLEMENTARY PAGE)      Internat. File No. PCT/EP2004/052751

Re Point V.

1      In the present Action, reference is made to the following documents:

- D1:    U.S. 6,186,123 B1 (MAIER MARTIN ET AL) February 13, 2001 (2001-02-13);
- D2:    U.S. 6,223,727 B1 (TAHARA TOSHOHIRO ET AL) May 1, 2001 (2001-05-01);
- D3:    U.S. 5,129,658 A (BERTON ET AL) July 14, 1992 (1992-07-14).

2      INDEPENDENT CLAIM 1

The present application does not satisfy the requirements of Article 33(1) PCT because the subject matter of Claim 1 is not novel within the meaning of Article 33(2) PCT. Document D1 discloses (the references in parentheses relate to this document):

A fuel injector (1) comprising an actuator; a valve-closure member (4) able to be actuated by the actuator, which cooperates with a valve-seat surface (6) to form a sealing seat; a spray-discharge orifice and a seal (6) for sealing the fuel injector (1) from a valve mount of a cylinder head (4), the seal radially surrounding the region of the discharge-side end of the fuel injector (1), at least a first section (6) of the seal (37) resting against the valve mount in a sealing manner,

wherein

via at least an axial partial section, which extends only across a portion of the axial length of the seal (6), the seal (6) is fitted in the region of

the discharge-side end of the fuel injector (1) in integral fashion, by form-fit and/or force-locking.

3 DEPENDENT CLAIMS 2-16

Claims 2 - 16 do not include any features which, in combination with the features of some other claim to which they refer, satisfy the PCT requirements regarding novelty since the features of the Claims 2 - 16 are already known from the documents D1, D2 or D3.

Re Point VIII

4. The application does not satisfy the requirements of Article 6 PCT since Claim 1 is not clear, for the following reasons:

4.1. Although Claim 1 is directed to a fuel injector, it includes features of an internal combustion engine (cylinder head, seal). As a result, the definition of the subject matter of this claim is not clear (Article 6 PCT).

4.2. It emerges from the specification on pages 2 and 3 that the following feature is essential for the definition of the invention:

"The seal is fitted at the fuel injector".

Since the independent Claim 1 does not include this feature, it does not meet the requirement of Article 6 PCT in conjunction with Rule 6.3 b) PCT, that each independent claim must contain all of the technical features essential to the definition of the invention.